

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR
FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

WP(Crl.).No. 40 of 2007(S)

PETITIONER:

T.C.SAJITHKUMAR,
AYYANADATHPARAMBU,
CHULLIYODE ROAD,
CIVIL STATION,
CALICUT

BY ADV. SRI.K.ANAND

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF HOME AFFAIRS,
THIRUVANANTHAPURAM.
2. THE SUB INSPECTOR OF POLICE,
HEMAMBIKA NAGAR POLICE STATION,
PALAKKAD.
3. SIVARAMAN,
SREEPATHI,
PUTHUPARIYARAM,
PALAKKAD.
4. OMANA, W/O.SIVARAMAN,
SREEPATHI,
PUTHUPARIYARAM,
PALAKKAD.
5. VIJITH, S/O.P.K.HARIDASAN,
PATHINETTAMKANDATHIL,
PARASSERY, KONGAD.

R1 AND 2 BY GP SHRI P.A. SALIM
R3 TO 5 BY ADV. SRI.P.V.KUNHIKRISHNAN

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD
ON 02/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(CRL.) NO.40/2007 - APPENDIX

PETITIONER's EXHIBITS:

- EXT.P1 & P2 - TRUE COPY OF PHOTOGRAPHS.
- EXT.P3 - TRUE COPY OF MARRIAGE CERTIFICATE NO.109 DATED 9.2.2006
- EXT.P4 - TRUE COPY OF THE IA DATED 20.1.2007 BEFORE THE FAMILY COURT, PALAKKAD.
- EXT.P5 - TRUE COPY OF REPRESENTATION PREFERRED BY THE PETITIONER TO THE SUPERINTENDENT OF POLICE DATED 22.1.2007
- EXT.P6 - TRUE COPY OF REPRESENTATION PREFERRED BY THE PETITIONER TO THE SI, HEMAMBIKA POLICE STATION DATED 19.1.2007

RESPONDENTS' EXHIBITS:

- EXT.R3 (a) - TRUE COPY OF PETITION FILED BY THE 4TH RESPONDENT BEFORE THE JUDL.FIRST CLASS MAGISTRATE'S COURT IV, KOZHIKODE DATED 8.6.2006
- EXT.R3 (b) - TRUE COPY OF ORDER PASSED BY THE JUDICIAL FIRST CLASS MAGISTRATE'S COURT IV, KOZHIKODE IN C.M.P. NO.2462/2006 DATED 14.6.2006
- EXT.R3 (c) - TRUE COPY OF DISCHARGE SUMMARY ISSUED FROM THE HOSPITAL FROM 26.12.2006 TO 4.1.2007
- EXT.R3 (d) - TRUE COPY OF CERTIFICATE SHOWING THAT LEENA IS ADMITTED AT D.S.AYURVEDA HOSPITAL DT. 28.1.2007

(TRUE COPY)

vaa

ps to judge

J.B. KOSHY and T.R.RAMACHANDRAN NAIR, JJ.

W.P.(Crl.) No. 40 of 2007 S

Dated this the 2nd day of March, 2007

Judgment

Alleged detainee was produced. Police stated that she was admitted in a mental hospital at Palai and she was produced from there. She admitted that petitioner is her husband, that their relationship are cordial and that she wants to go with the petitioner. There is already a proceedings in the Family Court. They can go together and appear before the Family Court and Family Court can do the needful. Since the detainee is the wife of the petitioner, the detainee is allowed to go with the petitioner. The habeas corpus petition is allowed.

**J.B.KOSHY
JUDGE**

**T.R.RAMACHANDRAN NAIR
JUDGE**

vaa

**J.B. KOSHY AND
T.R.RAMACHANDRAN NAIR, JJ.**

W.P. (Crl.) No.40/2007 S

Judgment

Dated:2nd March, 2007